

MJF:VHT
F.#2008R00926

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

I N D I C T M E N T

- against -

SANTO B. DIAZ and
JOSE SANTOS,

Defendants.

Cr. No. _____
(T. 18, U.S.C., §§
924(c)(1)(A)(i),
924(c)(1)(A)(ii),
1951(a), 2 and 3551 et
seq.)

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THE GRAND JURY CHARGES:

COUNT ONE
(Hobbs Act Robbery Conspiracy)

1. In or about and between August 2006 and November 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants SANTO B. DIAZ and JOSE SANTOS, together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce and the movement of articles and commodities in commerce by the robbery of business owners of an automated teller machine leasing company, a landscaping business, grocery stores, supermarkets and other commercial establishments located in Queens, Nassau and Suffolk counties.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT TWO

(Hobbs Act Robbery of John Doe #1)

2. On or about October 2, 2006, within the Eastern District of New York, the defendants SANTO B. DIAZ and JOSE SANTOS, together with others, did knowingly and intentionally obstruct, delay and affect commerce and the movement of articles and commodities in commerce by the robbery of John Doe #1, a person whose identity is known to the Grand Jury, who is the owner of an automated teller machine leasing company located in Flushing, New York.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT THREE

(Unlawful Use of a Firearm)

3. On or about October 2, 2006, within the Eastern District of New York, the defendants SANTO B. DIAZ and JOSE SANTOS did knowingly and intentionally use and carry a firearm during and in relation to a crime of violence, to wit: the crime charged in Count Two, and did knowingly and intentionally possess a firearm in furtherance of said crime of violence.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), 924(c)(1)(A)(ii), 2 and 3551 et seq.)

COUNT FOUR
(Hobbs Act Robbery of John Doe #2)

4. On or about October 6, 2006, within the Eastern District of New York, the defendants SANTO B. DIAZ and JOSE SANTOS, together with others, did knowingly and intentionally obstruct, delay and affect commerce and the movement of articles and commodities in commerce by the robbery of John Doe #2, a person whose identity is known to the Grand Jury, who is the owner of a landscaping company located in Freeport, New York.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT FIVE
(Unlawful Use of a Firearm)

5. On or about October 6, 2006, within the Eastern District of New York, did knowingly and intentionally use and carry a firearm during and in relation to a crime of violence, to wit: the crime charged in Count Four, and did knowingly and intentionally possess a firearm in furtherance of said crime of violence.

(Title 18, United States Code, Sections 924(c) (1) (A) (i), 924(c) (1) (A) (ii), 2 and 3551 et seq.)

COUNT SIX
(Hobbs Act Robbery of John Doe #1)

6. On or about October 12, 2006, within the Eastern District of New York, the defendants SANTO B. DIAZ and JOSE SANTOS, together with others, did knowingly and intentionally obstruct,

delay and affect commerce and the movement of articles and commodities in commerce by the robbery of John Doe #1, the owner of an automated teller machine leasing company located in Flushing, New York.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT SEVEN
(Unlawful Use of a Firearm)

7. On or about October 12, 2006, within the Eastern District of New York, the defendants SANTO B. DIAZ and JOSE SANTOS did knowingly and intentionally use and carry a firearm during and in relation to a crime of violence, to wit: the crime charged in Count Six, and did knowingly and intentionally possess a firearm in furtherance of said crime of violence.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), 924(c)(1)(A)(ii), 2 and 3551 et seq.)

A TRUE BILL



FOREPERSON



BENTON J. CAMPBELL
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

INFORMATION SHEET

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

1. Title of Case: United States v. **SANTO B. DIAZ and JOSE SANTOS**

2. Related Magistrate Docket Number(s):

None ()

3. Arrest Date: n/a

4. Nature of offense(s): Felony
 Misdemeanor

5. Related Cases - Title and Docket No(s). (Pursuant to Rule 50.3 of the
Local E.D.N.Y. Division of Business Rules): _____

6. Projected Length of Trial: Less than 6 weeks (X)
More than 6 weeks ()

7. County in which crime was allegedly committed: Queens/NASSAU
(Pursuant to Rule 50.1(d) of the Local E.D.N.Y. Division of Business Rules)

8. Has this indictment/information been ordered sealed? (X) Yes () No

9. Have arrest warrants been ordered? () Yes (X) No

BENTON J. CAMPBELL
UNITED STATES ATTORNEY

By:


Valerie Tocci
Special Assistant U.S. Attorney
718-254-6465

Rev. 3/22/01

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